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Kuwaiti Family Committee  
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FOR IMMEDIATE RELEASE  
October 8, 2009

## Guantanamo Detainee Khaled Al Mutairi Returned to Kuwait

*United States complies with U.S. District Judge Colleen Kollar-Kotelly's July 2009  
order to repatriate Al Mutairi*

**WASHINGTON, DC** – The United States today released Khaled Al Mutairi to Kuwait after nearly 8 years at Guantanamo Bay where he was held without ever being charged. Al Mutairi's release comes more than two months after a federal judge in July 2009 ordered the U.S. government to return the Kuwaiti citizen "forthwith."

The Government of Kuwait, one of the most steadfast allies of the United States, has been pressing for the return of Al Mutairi and its other three citizens detained at Guantanamo for months.

In preparation for the return of Al Mutairi and the other Kuwaiti detainees at Guantanamo, the Government of Kuwait recently completed a state of the art rehabilitation center modeled after the successful Saudi program. The new facility will provide detainees with access to education, medical care, group discussions and physical exercise to help them recover from their long ordeal in Guantanamo.

Khalid Al Odah, head of the Kuwaiti Family Committee, said the families are very grateful for the Judge's courageous actions and the faithful ongoing support by the Government of Kuwait.

"We are thankful that the United States has finally returned Khaled to his family and his home," said Al-Odah. "We are hopeful that the U.S. government will serve the same justice to our remaining sons still detained at Guantanamo."

For nearly eight years, Al Mutairi's attorneys and the State of Kuwait sought for him a hearing before an impartial judge independent of the U.S. Administration to ensure due process. That hearing finally took place on July 6, 2009.

On July 29, 2009, Judge Kollar-Kotelly ordered the U.S. government "to take all necessary and appropriate diplomatic steps to facilitate the release of Petitioner Al Mutairi forthwith."

Al Mutairi, 34, was taken into custody in Pakistan in 2001 after he traveled to Afghanistan to build a mosque and to provide funds for schools and orphans. His family has long been actively

engaged in charitable works. Al Mutairi was the first of two Kuwaitis ordered released following last year's historic Supreme Court ruling that granted fair hearings to Guantanamo detainees.

Attorneys for the Kuwaiti detainees today also called on the U.S. government to immediately repatriate Fouad Al Rabiah to the Government of Kuwait. Judge Kollar-Kotelly on September 17, 2009, ordered Al Rabiah released from Guantanamo, yet he remains imprisoned.

The Federal Court's decisions to order release of Al Mutairi and Al Rabiah underscore the important role the federal courts play in securing justice for the detainees, according to David Cynamon, lead attorney for the Kuwaiti detainees and a partner at Pillsbury Winthrop Shaw Pittman.

"The U.S. federal courts have all along provided a reliable route to justice," he said. Also, he added, "We are pleased that the U.S. Government has finally complied with the court order to return Khaled to Kuwait. Khaled's release is long overdue."

One Kuwaiti detainee, Fayiz al-Kandari, still awaits his fair hearing in federal court, which is scheduled for October 19, 2009. And, another detainee, Fawzi Al Odah, has appealed the Federal District Court's decision that the U.S. Government has cause to detain him.

#### **About the Kuwaiti Family Committee:**

The Kuwaiti Family Committee's mission is to seek justice for the remaining Kuwaiti detainees at Guantanamo Bay. The organization is led by Khalid Al-Odah, the father of Guantanamo detainee Fawzi Al-Odah, and includes in its membership approximately 100 relatives of the prisoners. They are only asking for due process of law for their fathers, brothers, and sons, including speedy proceedings either to release them or to charge and try them in a fair process.

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#### **Kuwaiti Family Committee Contact:**

**Khalid Al-Odah**  
**Tel. (Kuwait)** 011-965-905-6115  
**Email:** khalidalodah@yahoo.com

#### **U.S. News Media Contact:**

**Megan Fox**  
**Tel.** 202-596-0707  
**Email:** mfox@levick.com

*This press release is distributed by Levick Strategic Communications on behalf of the International Counsel Bureau. Additional information is available at the Department of Justice in Washington, D.C.*





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## Guantanamo Attorneys Ask Federal Court to Hold U.S. Defense Secretary in Contempt

*United States Defies Court Order to Free Innocent Man From Guantanamo*

WASHINGTON, DC – Attorneys for the Kuwaiti detainees at Guantanamo Bay today asked a federal judge to hold U.S. Secretary of Defense Robert Gates in contempt for failing to comply with a court order to release Fouad Al Rabiah from the Cuba prison. The attorneys also asked the court to order the U.S. Government to return Al Rabiah “by a date certain.”

U.S. District Judge Colleen Kollar-Kotelly on September 17, 2009, ordered the U.S. Government to release Al Rabiah “forthwith.” Yet, three weeks later, the U.S. Government has refused to comply with the judge’s order.

“Because Respondents [Secretary of Defense Robert Gates and Rear Admiral Tom Copeman] have made clear that they will not comply with the Release Order voluntarily, civil contempt is an appropriate remedy,” the attorneys wrote in a motion filed today with U.S. District Court for the District of Columbia. Rear Admiral Tom Copeman is the current commander of Joint Task Force Guantanamo.

Gates and Copeman “have made clear that they will do nothing to comply with Al Rabiah’s Release Order unless and until they are forced to do so by the Court,” the attorneys wrote in an accompanying memorandum. “In defiance of the Release Order, Respondents have failed to take any steps to facilitate Al Rabiah’s release and have no justification for this failure.”

The attorneys note in the court documents that the Government of Kuwait has repeatedly requested Al Rabiah’s prompt repatriation. “Al Rabiah could and should have been returned to Kuwait at the same time, and on the same aircraft, as Petitioner Khalid Al Mutairi, who was finally returned to Kuwait on October 8, 2009,” they wrote.

Fouad Al Rabiah has been held at Guantanamo for nearly eight years, during which he was subjected to abusive and coercive interrogation methods. His attorneys and the Government of Kuwait for years sought for him a hearing before an impartial judge independent of the U.S. Administration to ensure due process. That hearing finally took place on August 26, 2009, and on September 17, 2009, the court ordered his release.

Al Rabiah, 50, has an established history of international relief work. In October 2001, he was in Afghanistan coordinating delivery of more than 30 trucks of aid supplies from Meshad, Iran, to

refugees on the Afghani-Iranian border and to hospitals in Kandahar. Since 1981, Al Rabiah has been a manager for Kuwait Airways and a father of four children.

Al Rabiah is the second Kuwaiti detainee to be ordered released following last year's historic Supreme Court ruling that granted fair hearings to the detainees. Judge Colleen Kollar-Kotelly on July 29, 2009, ordered the release of Kuwaiti detainee Khaled Al Mutairi who was returned to the Government of Kuwait on October 8, 2009.

Copies of the court filings are attached to this release.

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**Kuwaiti Family Committee Contact:**

**Khalid Al-Odah**  
**Tel. (Kuwait) + 965 99056115**  
**Email: khalidalodah@yahoo.com**

**U.S. News Media Contact:**

**Megan Fox**  
**Tel. 202-596-0707**  
**Email: mfox@levick.com**

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